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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/027,561	12/20/2001	Toru Morita	SCEIYA 3.0-109	1024
530	7590	05/18/2006	EXAMINER	
LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK 600 SOUTH AVENUE WEST WESTFIELD, NJ 07090			BAYARD, DJENANE M	
			ART UNIT	PAPER NUMBER
			2141	

DATE MAILED: 05/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/027,561

Applicant(s)

MORITA, TORU

Examiner

Djenane M. Bayard

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This is in response to Request for Consideration in which claims 1-20 are pending.

Response to Arguments

2. Applicant's arguments have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Antilla.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 15 and 17-20 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S.

Patent No. 6,370,394 to Anttila.

- a. As per claims 15, 17-20, Anttila teaches communication means, including a subscriber telephone network, for establishing communication with a multi-function mobile telephone (See col. 6, lines 65-67, col. 7, lines 1-3 and figure 2, ... *in the mobile communication network conventional mobile station 14 over mobile communication center 100, base station controller*

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104 and base station 105); a content providing apparatus for providing content terminal (See col. 6, lines 25-26), and a relay apparatus connected to the multi-function mobile telephone, through the subscriber telephone network (See col. 6, lines 58-67), the relay apparatus being operable to convert an intrinsic identifier of the multi-function mobile telephone into an ID code unique to the multi-function mobile telephone, wherein communication between the multi-function mobile telephone and the content providing apparatus is performed through the relay apparatus based on the ID code (See col. 4, lines 28-33, *Routing is facilitated by a database arranged in connection with the network server, in which database it is stored the identification number (e.g. a IP-address) defined for the telephone number for each mobile station...* and col. 14, lines 52-55, *a reference table adapted to include the telephone number corresponding to each mobile station and the internet protocol address corresponding to each mobile station and to convert the phone number into the corresponding internet protocol address*). Furthermore, Anttila teaches wherein the transfer of information from the network server to the interconnecting network is performed typically over a packet switched data transfer connection based upon a IP address (See col. 8, lines 23-25, *the content server does not have any knowledge of the telephone number and all data transfer are done through the Ip address*). However, Anttila fails to teach wherein the memory of the content providing apparatus is for storing a variety of statuses of the multi-function mobile telephone by the unique ID code and for storing progress of current game playing, so that if a game is suspended during operation, the game may be resumed at a point of suspension by re-accessing the memory of the content providing apparatus.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-3, 5, 7-12, 14 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,370,394 to Anttila in view of U.S. Patent Application No. 2003/0114224 to Anttila et al.

a. As per claims 1, 9, 14 and 16, Anttila teaches communication means, including a subscriber telephone network, for establishing communication with a multi-function mobile telephone (See col. 6, lines 65-67, col. 7, lines 1-3 and figure 2, ... *in the mobile communication network conventional mobile station 14 over mobile communication center 100, base station controller 104 and base station 105*); a content providing apparatus for providing content terminal (See col. 6, lines 25-26), and a relay apparatus connected to the multi-function mobile telephone, through the subscriber telephone network (See col. 6, lines 58-67), the relay apparatus being operable to convert an intrinsic identifier of the multi-function mobile telephone into an ID code unique to the multi-function mobile telephone, wherein communication between the multi-function mobile telephone and the content providing apparatus is performed through the relay apparatus based on the ID code (See col. 4, lines 28-33, *Routing is facilitated by a database*

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arranged in connection with the network server, in which database it is stored the identification number (e.g. a IP-address) defined for the telephone number for each mobile station... and col. 14, lines 52-55, a reference table adapted to include the telephone number corresponding to each mobile station and the internet protocol address corresponding to each mobile station and to convert the phone number into the corresponding internet protocol address). Furthermore, Anttila teaches wherein the transfer of information from the network server to the interconnecting network is performed typically over a packet switched data transfer connection based upon a IP address (See col. 8, lines 23-25, *the content server does not have any knowledge of the telephone number and all data transfer are done through the Ip address*). However, Anttila fails to teach wherein the memory of the content providing apparatus is for storing a variety of statuses of the multi-function mobile telephone by the unique ID code and for storing progress of current game playing, so that if a game is suspended during operation, the game may be resumed at a point of suspension by re-accessing the memory of the content providing apparatus.

Anttila et al teaches a game server that may store or be in communication with game database, which stores players, task, hint and game status information (See page 2, paragraph [0017]).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate wherein the memory of the content providing apparatus is for storing a variety of statuses of the multi-function mobile telephone by the unique ID code and for storing progress of current game playing, so that if a game is suspended during operation, the game may be resumed at a point of suspension by re-accessing the memory of the content providing

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apparatus as taught by Anttila et al in the claimed invention of Anttila in order to allow individuals to view game status information (page 3, paragraph [0030]).

b. As per claim 2, Anttila teaches an information terminal connected to the multi-function mobile telephone and having a display device larger in size than a display device of the multi-function mobile telephone (See col. 9, lines 37-42).

c. As per claim 3, Anttila teaches wherein the communication means comprises the Internet and the relay apparatus is a gateway arranged to the subscriber telephone network to connect the subscriber telephone network to the Internet (See col. 6, lines 57-58).

d. As per claim 5, Anttila teaches the claimed invention as described above. However, Anttila fails to teach wherein the content providing apparatus is an Internet server which provides one or both a program and/or data for video gaming.

Anttila et al teaches wherein the content providing apparatus is an Internet server which provides one or both a program and/or data for video gaming (See page 2, paragraph [0017]).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate the teaching of Anttila et al into Anttila in order to allow individuals to view game status information (page 3, paragraph [0030]).

e. As per claim 7, Anttila teaches wherein the relay apparatus comprises a unit which

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notifies the content providing apparatus of the ID code of the multi-function mobile telephone (See col. 8, lines 20-32).

f. As per claim 8, Anttila teaches an information terminal connected to the subscriber telephone network using the multi-function mobile telephone, wherein the content providing apparatus includes a unit operable to provide the content to the information terminal; and a unit operable to identify the information terminal to which the content is provided based on the ID code notified of by the relay apparatus (See col. 8, lines 20-32).

g. As per claim 10, Anttila teaches the claimed invention as described above. Furthermore, Anttila teaches wherein the computer network is the Internet (See col. 8, lines 20-32).

h. As per claim 11, Anttila teaches the claimed invention as described above. Furthermore, Anttila teaches wherein the terminal comprises a mobile telephone connected to the telephone communication network (See col. 6, lines 50-65 and figure 1).

i. As per claim 12, Anttila teaches the claimed invention as described above. Furthermore, Anttila teaches wherein the unit for detecting the telephone number of the terminal detects the telephone number of the terminal when the terminal places the dial-up connection request (See col. 8).

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7. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,370,394 to Anttila in view of U.S. Patent Application No. 2003/0114224 to Anttila et al. as applied to claim 1 above, and further in view of U.S. Patent Application 2005/0021863 to Jungck.

a. As per claim 4, Anttila in view of Anttila et al teaches the claimed invention as described above. However, Anttila in view of Anttila et al failed to teach wherein the relay apparatus is a DNS server owned by an Internet service provider, and is connected to the multi-function mobile telephone through the subscriber telephone network.

Jungck teaches an apparatus and method for enhancing the infrastructure of a network such as the Internet. Furthermore, Jungck teaches wherein the relay apparatus is a DNS server owned by an Internet service provider, and is connected to the multi-function mobile telephone through the subscriber telephone network (See pages 4 and 9, paragraph [0039 and 0065]).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate wherein the relay apparatus is an DNS server owned by an Internet service provider, and is connected to the multi-function mobile telephone through the subscriber telephone network as taught by Jungck in the claimed invention of Anttila in view of Anttila et al in order to handle requests to translate the domain names services by that service provider or forward those requests to other DNS servers coupled with Internet for translation (See page 5, paragraph [0042]).

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8. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,370,394 to Anttila in view of U.S. Patent Application No. 2003/0114224 to Anttila et al. as applied to claim 1 above, and further in view of U.S. Patent No. 6,148,253 to Taguchi et al.

a. As per claim 6, Anttila in view of Anttila et al teaches the claimed invention was described above. However, Tobita et al in view of Anttila failed to teach wherein the information terminal connected to the multi-function mobile telephone is a video gaming machine which is operated while monitoring an image presented on the display device thereof.

Taguchi et al teaches wherein the information terminal connected to the multi-function mobile telephone is a video gaming machine which is operated while monitoring an image presented on the display device thereof (See col. 5, lines 8-16)

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate wherein the information terminal connected to the multi-function mobile telephone is a video gaming machine which is operated while monitoring an image presented on the display device thereof as taught by Taguchi et al in the claimed invention of Anttila in order to enhance the value of the system (See col. 2, line 24).

9. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,370,394 to Anttila in view of U.S. Patent Application No. 2003/0114224 to Anttila et al as applied to claim 9 above, and further in view of U.S. Patent Application 2001/0025275 to Tanaka et al.

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a. As per claim 13, Anttila in view of Anttila et al teaches the claimed invention as described above. Anttila in view of Anttila et al failed to teach wherein the server further comprises a unit which performs a fee billing process to the terminal to which the content is provided, based on the unique code notified of by the relay apparatus.

Tanaka et al teaches a system for Internet connections, for calculating connection fees for network connection services, billing system for network connecting s services, and system for network connection management. Furthermore, Tanaka et al teaches wherein the server further comprises a unit which performs a fee billing process to the terminal to which the content is provided (See pages 5 and 6, paragraph [0090]).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate wherein the server further comprises a unit which performs a fee billing process to the terminal to which the content is provided, based on the unique code notified of by the relay apparatus as taught by Tanaka et al in the claimed invention of Anttila in view of Anttila et al in order to calculate the telephone fee for each connection (See page 6, paragraph [0090]).

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Djenane M. Bayard whose telephone number is (571) 272-3878. The examiner can normally be reached on Monday- Friday 5:30 AM- 3:00 PM..

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (571) 272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Djenane Bayard

Patent Examiner



JASON CARDONE
SUPERVISORY PATENT EXAMINER